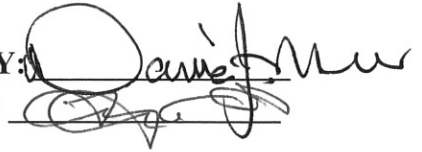


1st reading (D)
2-1-17

SPONSORED BY:

SECONDED BY:



CITY OF HOBOKEN

ORDINANCE NO.: _____

2-467

AN ORDINANCE AMENDING CHAPTER 145 OF THE HOBOKEN CITY CODE ENTITLED "PEACE AND GOOD ORDER" TO REPEAL §145-13 "INTOXICATION"

WHEREAS, pursuant to N.J.S.A. 26: 2B-26, "No...municipality...of the State shall adopt any...ordinance...rendering public intoxication or being found in any place in an intoxicated condition an offense, a violation or the subject of criminal or civil penalties or sanctions of any kind..."; and,

WHEREAS, the City of Hoboken wishes to amend its Code to be consistent with N.J.S.A. 26: 2B-26; and,

WHEREAS, Section § 145-13 entitled "Intoxication" of the Hoboken City Code reads as follows:

A. No person shall be in the state of intoxication in any street, highway, thoroughfare or public place within the City or in any private house or place, to the annoyance of any citizen or person.

B. Police officers shall arrest any intoxicated person and cause him to be brought before the Municipal Judge, and the Municipal Judge before whom such person shall be brought may, on the confession of such person or on due proof that such person has been intoxicated, convict such person thereof.

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Section § 145-13 entitled "Intoxication" of the Hoboken City Code shall be repealed in its entirety

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that

the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
President Jennifer Giattino				

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City ClerkVetoed by the Mayor for the following
reasons: __________

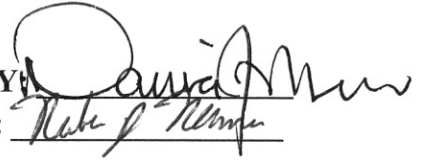
_____***-or-***

Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

1st reading (2)
2-1-17

SPONSORED BY
SECONDED BY:


David Morris

CITY OF HOBOKEN
ORDINANCE NO.: _____

2-468

AN ORDINANCE AMENDING CHAPTER 94 OF THE HOBOKEN CITY CODE ENTITLED "DRUG-FREE ZONES" AT §94-1 "ADOPTION OF MAP" TO INCORPORATE THE JUNE 1, 2016 MAP BY P.E. JEFFREY MORRIS

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions and ~~deletions~~ shall be made to Hoboken City Code § 94-1 to read as follows:

Article I: Drug-Free School Zones

§ 94-1 Adoption of Map.

In accordance with and pursuant to the authority of P.L. 1988, c. 44 (N.J.S.A. 2C:35-7), the attached Drug-Free School Zone Map produced on or about January 12, 1988, by P.L. Caulfield, June 1, 2016, by Jeffrey Morris, Municipal Engineer, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for school purposes and which is owned by or leased to any elementary or secondary school or school board and of the areas on or within 1,000 feet of such school property. The Drug-Free School Zone Map approved and adopted shall continue to constitute an official finding and record as to the location and boundaries of areas on or within 1,000 feet of property owned by or leased to any elementary or secondary school or school board which is used for school purposes until such time, if any, that this chapter shall be amended to reflect any additions or deletions with respect to the location and boundaries of school property and drug-free school zones.

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
President Jennifer Giattino	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

Vetoed by the Mayor for the following
reasons: _____

-or-

Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor



Source: City of Hoboken, Hudson County

June 1, 2016

Drug-Free School Zones (1,000' from school parcel boundary)



Office of the Business Administrator
 City of Hoboken

1st reading
2-1-17

(3)

SPONSORED BY: 

SECONDED BY: 

CITY OF HOBOKEN
ORDINANCE NO.: _____

2-469

AN ORDINANCE AMENDING ARTILE II, CHAPTER 94 OF THE
HOBOKEN CITY CODE ENTITLED "DRUG-FREE PUBLIC HOUSING,
PUBLIC PARK, AND PUBLIC BUILDING ZONES" AT §94-6
"ADOPTION OF MAP" TO INCORPORATE THE JULY 28, 2016 MAP
BY P.E. JEFFREY MORRIS

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1: The following additions shall be made to Hoboken City Code § 94-6 to read as follows:

Article II: Drug-Free Public Housing, Public Park, and Public Building Zones

§ 94-6 Adoption of Map.

In accordance with and pursuant to the authority of P.L. 1997, c. 327, the Drug-Free Public Housing, Public Park, and Public Building Zones Map produced on or about July 28, 2016, by Jeffrey Morris, the Municipal Engineer, is hereby approved and adopted as an official finding and record of the locations and areas within the municipality of property that is used for a public housing facility owned by or leased to a housing authority pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 et seq.), or that is used for any public park, or public building, and of the areas on or within 500 feet of such public housing, public park, or public building property. The Drug-Free Public Housing, Public Park, and Public Building Zones Map approved and adopted shall continue to constitute an official finding and record as to the location and boundaries of areas on or within 500 feet of a public housing facility, public park, or public building until such time, if any, that this chapter shall be amended to reflect any additions or deletions with respect to the location and boundaries of public housing facilities, public parks, public buildings, and drug-free public housing, public parks, and public building zones.

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the

existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
President Jennifer Giattino	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

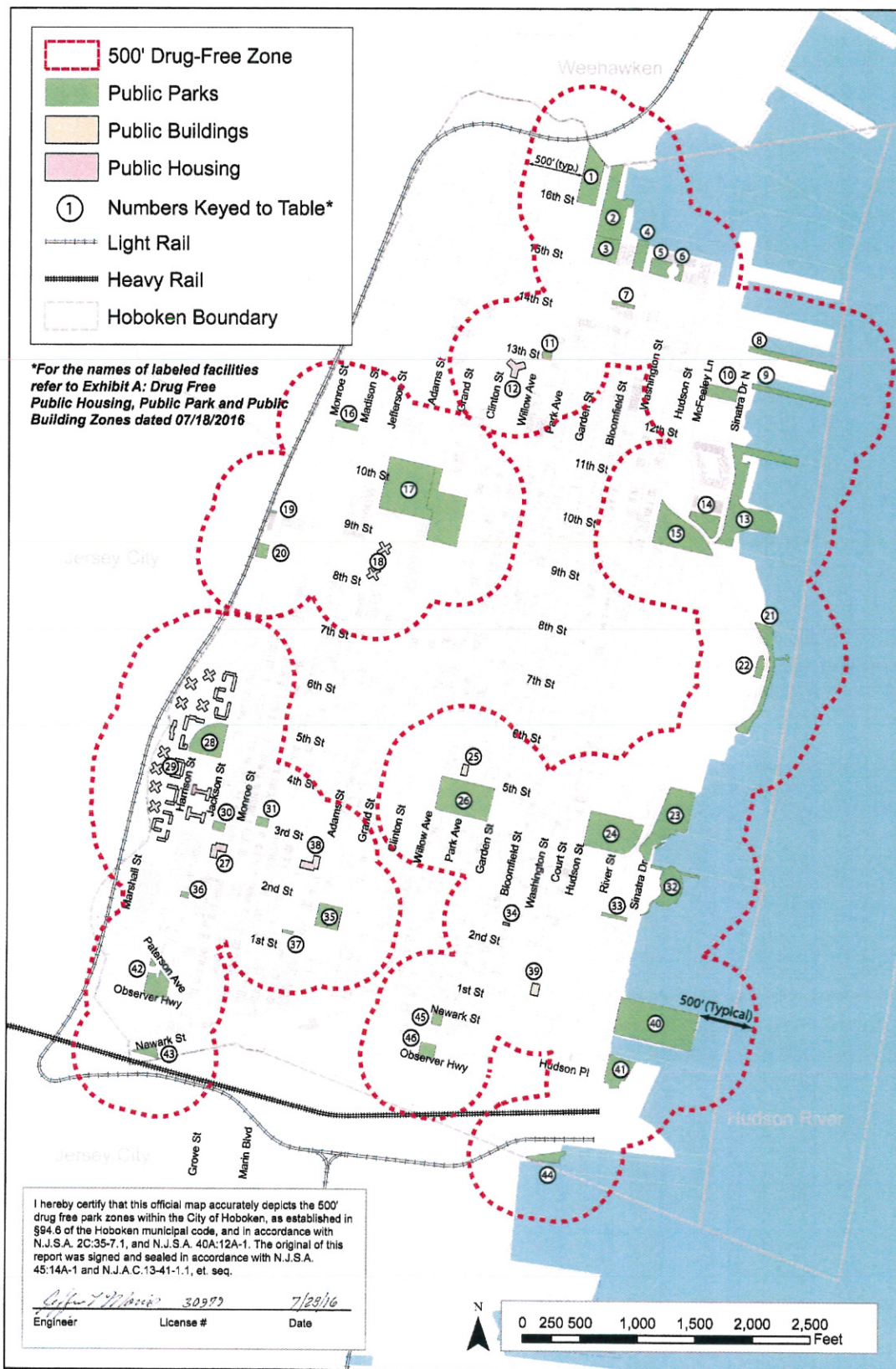
James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor



Source: City of Hoboken, Hudson County

July 18, 2016

Drug-Free Public Housing, Public Park, and Public Building Zones (500' from boundary)



Office of the Business Administrator
City of Hoboken

Map Exhibit A

500' Drug-Free Public Housing, Public Park and Public Building Zones

#	Name	Classification
1	1600 Park	Park
2	Hoboken Cove	Park
3	Hoboken Cove Park	Park
4	Hoboken Cove	Park
5	Hoboken Cove	Park
6	Hoboken Cove	Park
7	Hoboken Cove Alley	Park
8	Shipyard Piers	Park
9	Shipyard Piers	Park
10	Shipyard Park	Park
11	Legion Park	Park
12	Hoboken Housing Authority	Public Housing
13	Maxwell Place Waterfront Park	Park
14	Maxwell House Recreation Area	Park
15	Elysian Park	Park
16	Shop Rite Green Plaza	Park
17	JFK Stadium/Columbus Park	Park
18	Hoboken Housing Authority	Public Housing
19	Light Rail Public Plaza	Park
20	Light Rail Public Plaza	Park
21	Castle Point Park	Park
22	Sybil's Cave Park	Park
23	Sinatra Park	Park
24	Steven's Park	Park
25	Hoboken Public Library	Public Building
26	Church Square Park	Park
27	Hoboken Housing Authority	Public Housing
28	Housing Authority Ballfield	Park
29	Hoboken Housing Authority	Public Housing
30	Jackson St. Community Garden	Park
31	Madison St. Park	Park
32	Pier C. Park	Park
33	Block B. (W. Hotel Park)	Park
34	Hoboken Fire Department Museum	Public Building
35	Multi-Service Center & Park	Park
36	Jackson St. Park	Park
37	Pocket Park	Park
38	Hoboken Housing Authority	Public Housing
39	Hoboken Police Department	Public Building
40	Pier A. Park	Park
41	Erie Lackawanna Plaza	Park
42	Block 12 Park	Park
43	Gateway Pocket Park	Park
44	NJ Transit Light Rail Park	Park
45	Park	Park
46	Park	Park

1st reading (A)
2-1-17

SPONSORED BY: David F. Mew

SECONDED BY: [Signature]

CITY OF HOBOKEN
ORDINANCE NO.: _____

3-9-17

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 59A ENTITLED "DEPARTMENT OF PUBLIC SAFETY," ARTICLE III "OUTSIDE POLICE PERSONNEL EMPLOYMENT" TO REFLECT THE CURRENT OUTSIDE EMPLOYMENT POLICIES AND PROCEDURES OF THE HOBOKEN POLICE DEPARTMENT

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions and deletions shall be made to Hoboken City Code Chapter 59A, Article III ("Outside Police Personnel Employment") to read as follows:

§ 59A-22 Assignments. Definitions.

- A. Regular Duty: Regularly scheduled shifts of police duty, overtime, special assignments, department sanctioned schooling in lieu of regular duty, and court appearances arising out of an officers employment with this department.
- B. Outside Employment: Outside employment shall be defined as any employment or assignment which the police department is not obligated or expected to provide, or does not normally provide as part of its regular plan of police service; performed by an officer of the Hoboken Police Department for a person or entity who has entered into a formal contract with the City for the performance of such services and where such services are conditioned upon the actual or potential use of law enforcement powers by the police department employee.
- C. Secondary Employment: any off-duty employment that will not require the use or potential use of law enforcement powers by the off-duty officer.

~~A. The Chief of Police shall designate three members of the Department to act in the capacity of outside employment liaison officers. These officers shall be responsible for the assignment of police personnel to outside employment assignments.~~

~~B. The outside liaison officers shall maintain an alphabetical list whereby police officers shall be contacted on a rotating basis concerning availability of outside employment.~~

§59A-23 ~~Contracts with private entities.~~ Outside Police Personnel Employment Generally.

- A. The fee for outside employment services shall be paid by the person or entity requesting the services and shall be set forth in the PBA & PSOA Collective Bargaining Agreements.
- B. Outside employment will be regulated by the department and may be considered for approval provided the employment does not represent a conflict of interest and the employment and/or tasks do not reflect unfavorably on the integrity or professionalism of the police officer employee or the police department. Officers are prohibited from engaging in outside employment that has not been approved by the Chief of Police.
- C. Outside employment opportunities shall be limited to the geographical boundaries of the City, unless expressly authorized by the Chief of Police. Any assignments outside of the City that are approved by the Chief of Police must conform to the same rules and regulations.
- D. The administrative lieutenant shall function as the manager and point of contact for all outside employment assignments. The administrative lieutenant shall be responsible for maintaining a daily list of all outside employment assignments scheduled in the City.
- E. The administrative lieutenant shall create and maintain a comprehensive file for each vendor that contracts with the City for police services. Said file shall contain all relevant information and forms relating to outside employment assignments worked within two years from the then current date.
- F. Prior to the commencement of outside employment police services, the individual or entity requesting police services will be required to submit payment to the Police Department (which shall be forwarded to the City Department of Revenue and Finance for deposit in an escrow account) equaling a reasonable estimate of the cost of police services based upon the total number of man hours requested. All such fees must be paid in full prior to the date on which the outside employment police services are scheduled to commence.
 - a. Some vendors and Governmental agencies and their respective subdivisions may be exempted from this requirement and may be billed for the actual cost of the police services at the conclusion of the assignment or on a periodic basis.

~~A. Any private person or entity desiring to retain the services of police officers of the City of Hoboken for outside police-related activities shall be required to enter into a contract with the City of Hoboken. The contract shall include but not be limited to the nature of duties, the date and hours of service and the rate of payment for services the officers provide. The contract may also provide for deposits in advance by the contractor for services to be performed.~~

~~B. At the time a private person or entity applies for a permit from the City of Hoboken subcode officials for street construction, excavation, paving, etc., the permit shall state that as a condition~~

~~for its issuance the private person or entity shall contact the Commander, Bureau of Transportation, Hoboken Police Department, who shall determine whether or not it will be necessary to assign a police officer to that particular site in order to ensure public safety and well-being.~~

~~(1) The criterion which the Commander of the Bureau of Transportation shall use in order to base his determination as to whether or not a police presence at a particular work site is required shall be the Manual On Uniformed Traffic Control and Device Statutes, specifically N.J.S.A. 39:4-120, 39:4-183.6, 39:4-183.27 and 39:4-191.1 and the City of Hoboken Traffic Ordinance § 190-1 et seq.~~

~~(2) In the event that the determination is made that a police officer should be assigned, the officers designated as liaisons by the Chief of Police will be contacted by the Commander of the Bureau of Transportation so that an officer may be assigned from the rotation. All private persons or entities shall be required to make all payment for outside assignments payable to the Division of Revenue and Finance, City of Hoboken. The moneys shall be collected from the private persons or entities by the Finance Department and earmarked for payment of the officers performing the outside employment.~~

~~C. All members of the Police Department shall be paid for services performed on one or two standard rates. The officers performing this service shall be paid on a regular pay date, after the receipt of funds from the contracting entity and upon the submission of appropriate documentation certifying the performance of duty by the officer(s) concerned.~~

§59A-24 Approval of Outside Employment Assignments.

- A. Attached hereto as "Exhibit A" is a copy of the form "Outside Employment Contract" which may be utilized by the Police Department to enter into outside employment agreements with private entities on behalf of the City of Hoboken.
- B. All persons or entities requesting police services will be required to submit a completed Outside Employment Contract to the Chief of Police or their designee, at least 48 hours prior to the date the services are needed.
- C. The Chief of Police or their designee will evaluate all requests for outside employment police services to ensure that the request is lawful and consistent with a positive image of law enforcement officers.

§59A-25 Assignment of Officers.

- A. In order to be eligible to work outside employment, an officer must be certified by the P.T.C. as a full-time law enforcement officer, must have completed his field-training program and cannot be on medical or other leave due to sickness, temporary disability or an on-duty injury. These requirements may be waived by the Chief of Police.
- B. The administrative lieutenant or designee shall select officers who have expressed interest in a particular outside employment assignment based upon the previous number of outside employment and overtime hours worked in the then current quarter, and any other fair and reasonable considerations as determined by the administrative lieutenant or Chief of Police.
- C. In situations where two (2) or more officers express interest in the same assignment and both officers have previously worked the same number of hours in the current quarter, the assignments shall be given to the officer with the greater seniority.

§59A-24 26 Payment schedule.

~~A. A two-tier payment schedule has been established by the City for outside employment:~~

- ~~(1) Tier A payment schedule is \$25 per hour.~~
- ~~(2) Tier B payment schedule is \$30 per hour.~~

~~B. The Tier A payment schedule shall be used in all circumstances, unless such employment requires a supervising officer to work in a supervisory capacity. If an officer of rank is required to exercise a supervisory function in connection with the outside employment, he shall be paid under the Tier B payment schedule. The Tier B payment schedule shall apply to all supervising officers, regardless of their respective ranks. This salary rate may be adjusted from time to time by the Director of Administration. The City of Hoboken shall not be required to allow its equipment to be used on any off-duty assignment.~~

A. The hourly rate for the Outside Police Personnel Employment program ("Outside Employment Program" or "O.E.P") to be paid by a private contractor shall be \$80.00 per hour for members of the Hoboken Local #2 PBA Union, subject to the following conditions:

- 1. The City shall retain \$10.00 per hour from the initial O.E.P. billing rate of \$80.00 per hour for administrative overhead and necessary accounting purposes.

2. Police Officers shall receive \$70.00 per hour of which \$5.00 shall be deducted from the gross hourly wage, by the City, as agreed by the membership and forwarded in quarterly installments to the P.B.A.'s Good and Welfare Fund.
3. The employee's final gross hourly wage for O.E.P. shall be \$65.00 per hour and paid through the City's finance/payroll department, after all above mentioned deductions are made.
4. The outside contractor shall pay to the officer overtime at the rate of time and one half (\$120.00 per hour) for all hours worked beyond an initially eight (8) hour scheduled job. There shall be no additional monies added, subtracted, or retained, by the City or the P.B.A., from this overtime rate of pay.

B. Fees for members of the Hoboken Police Superior Officer's Association shall continue to be governed by the most recent Collective Bargaining Agreement and shall not be considered amended by this ordinance.

~~§ 59A-25 Overtime.~~

~~Any outside assignment which exceeds eight continuous hours shall be charged at an overtime rate of time and 1/2 of either the Tier A, Tier B, or grandfather schedule.~~

~~§ 59A-26 Grandfather provision.~~

~~All outside assignments which have been contracted prior to the Police Department's Outside Police Personnel Employment Order, implemented under the auspices of this article, shall merge with the procedural requirements of said departmental order. The sole exception shall be that the rate of pay agreed to relative to those outside assignments shall not be disturbed. A separate list shall be afforded the Department of Administration indicating the payment rate of those specific assignments. However, once that particular assignment terminates, the resurrection of that assignment shall then require the implementation of the payment schedule.~~

~~§ 59A-27 Emergencies.~~

A. The Chief of Police or his designee shall have the authority to order any police officer engaged in an outside assignment within the City of Hoboken to respond to an emergency situation occurring within the City of Hoboken. The Chief of Police or his designee shall also have the right to offer any outside assignment terminated whenever said assignment created an unacceptable risk to the health, safety and welfare of the officer and/or the citizens of the City of Hoboken.

B. In the event that an officer is assigned to an emergency situation, the Police Chief or his designee shall make note of said emergency situation, as well as the time said officer was removed from said outside assignment. In any situation where a police officer is performing an outside assignment and is called to an emergency situation, said private person or entity shall not be responsible for the payment of the officer's hourly rate until such time as said police officer returns to the outside employment.

§ 59A-28 Administrative Procedures and Policies.

The Police Chief and/or administrative officer may issue and implement such administrative policies and procedures, not inconsistent with this Chapter, so as to implement the intent and purpose of this Chapter.

§ 59A-28 Administrative fee.

~~Due to the increase in the work load of the Department of Revenue and Finance, which includes but is not limited to additional payment and processing of checks by automatic data processing and the additional time expended in computing appropriate follow-up procedures to ensure payment is made to the City by third parties, an administrative fee of \$1 per hour per man shall be charged. This figure shall be reviewed by the Director of the Department of Administration within 60 days of implementation to determine if any modification is necessary.~~

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
President Jennifer Giattino	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following
reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor



POLICE DEPARTMENT CITY OF HOBOKEN

One Police Plaza
Hoboken, New Jersey 07030-5704
BUREAU OF IDENTIFICATION



Kenneth Ferrante
Chief of Police

Tel. (201) 420-2115
Fax. (201) 420-5105

OUTSIDE EMPLOYMENT CONTRACT (O.E.P)

Date: ____/____/____

Company Name: _____

Fax Number: _____ Tax Id Number: _____

Address: _____ Phone: _____

City: _____ State _____ Zip Code _____

Contact Person for Payment/Billing Information

Name: _____ Phone: _____

Representative contracting Outside Employment:

Name: _____ Title: _____

Nature of work to be done : _____

Type of duty to be performed: (check applicable) Traffic /crowd control: _____ Other: _____

If other, explain: _____

Location of service to be performed: _____

Date: _____ Day: _____ Start Time: _____ End Time: _____

Number of Officers Needed: _____ Total Fee Due for Officer(s) Services: \$ _____

Will the street/sidewalk be closed to vehicular/pedestrian traffic? Y or N

Will you be excavating the street/sidewalk? Y or N

AGREEMENT

I, _____, representing, _____, in my official capacity as, _____, attest that I am empowered to contract off-duty police officer's services. I certify that all information provided on the front page of this document is correct. I acknowledge, understand and agree that any and all police personnel, regardless of rank or title, shall provide a service at the rate of \$80.00 per hour.

I understand that all requests for OEP must be submitted no later than 2:30pm on the day prior to the job (Monday jobs must be scheduled by 2:30pm the Friday before). I agree that the contracted services shall be paid as follows: Work scheduled between one (1) and four (4) hours SHALL EQUAL A MINIMUM OF FOUR HOURS RATE OF PAY. Work between four (4) and eight (8) hours SHALL EQUAL A MINIMUM OF EIGHT HOURS RATE OF PAY. Any services provided after eight hours shall be compensated at the overtime rate of \$120.00 per hour.

Cancellations

All cancellations of OEP services MUST be made at least TWO (2) HOURS PRIOR to the scheduled start time on the front of this document. Any cancellations NOT made within the two hour window will be subject to a fee of four (4) hours pay. Cancellations can be made by calling The Bureau of Identification at 201-420-2115, during the hours of 7:30am-3:30pm. Any cancellations made outside of these hours MUST be made by calling the Desk Supervisor at 201-420-2131. VOICE MAIL MESSAGES LEFT WITH THIS OFFICE ARE NOT ACCEPTABLE. **If you cannot reach a member of this office, call 201-420-2131.**

In consideration for the OEP services provided by members of the Hoboken Police Department, I agree to pay a total fee in the amount of \$_____, to the Hoboken Police Department Outside Employment Program.

With understanding, acknowledgment and agreement with the foregoing, the following signatures are affixed below:

Signature of Authorized Contracting Representative

Date: ____/____/____

Signature of Authorizing Department Designee:

Date: ____/____/____

Note: All payments are to be made by check or money order, payable to O.E.P

POLICE DEPARTMENT
CITY OF HOBOKEN

One Police Plaza
Hoboken, New Jersey 07030-5704
Bureau of Identification

Kenneth F. Ferrante
Chief of Police

Tel. (201) 420-2100
Fax. (201) 420-5105

Outside Employment Contract (O.E.P)

Nature of Work to be done: (Specific Detail) _____

*Will Sidewalk be closed to pedestrian traffic?	Yes	No
*Will Street be closed to vehicular traffic?	Yes	No
*Will you be excavating the street/sidewalk? (If Yes, City Permit is needed.)	Yes	No

Please Provide Drawings or Traffic Survey if applicable.

All Contracts are Subject to Review upon Approval from
Bureau Supervisor(s).

Signature of Authorizing Supervisor

Date/Time:

1st reading (5)
2-1-17

INTRODUCED BY: _____

SECONDED BY: _____

CITY OF HOBOKEN

ORDINANCE NO.: _____

2-471

AN ORDINANCE AMENDING CHAPTER 168 OF THE HOBOKEN CITY CODE ENTITLED "STREETS AND SIDEWALKS" TO ADD ARTICLE XI § 168-1100, WHICH SHALL BE ENTITLED "BIKE SHARE LOCATIONS DESIGNATED"

WHEREAS, the City of Hoboken is participating in the Hudson Bike Share program; and,

WHEREAS, the City of Hoboken must authorize the permanent placement of bike docking stations within the City; and,

WHEREAS, the City previously resolved to approve temporary locations for bike docking stations within the City; and,

WHEREAS, the City now wishes to ordain all of the temporary locations as permanent bike docking stations and to add one station at the intersection of Harrison Street and 7th Street.

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Chapter 168 of the Hoboken City Code is amended to add Article XI § 168-1100, which shall be entitled "Bike Share Locations Designated." § 168-1100 will read as follows:

The following locations are hereby designated as bike docking stations for bicycles that are being utilized in connection with the Hudson Bike Share Program:

Location	Latitude	Longitude	Sidewalk/ Street	N/S/E/W Corner
1st Street & Madison Street	40.73881943	-74.03923094	Street	SW
1st Street & Sinatra Drive	40.73684808	-74.02765453	Sidewalk	E
1st Street & Washington Street	40.73749843	-74.03100729	Street	NW
2nd Street & Grand Street	40.73924215	-74.03618395	Sidewalk	W
2nd Street & Marshall Drive	40.74077447	-74.04249251	Street	SE
3rd Street & Sinatra	40.73942099	-74.02689278	Sidewalk	E

Drive				
4th Street & Jackson Street	40.74310743	-74.03998733	Sidewalk	NW
4th Street & Washington Street	40.74134349	-74.02974129	Street	NE
4th Street & Washington Street	40.74125407	-74.02972519	Street	SE
5th Street & Park Ave	40.74259938	-74.03220356	Sidewalk	SW
6th Street & Jefferson Street	40.74482661	-74.03635561	Street	NE
6th Street & River Street	40.74317245	-74.02694106	Street	NE
6th Street & River Street	40.74318871	-74.02700007	Street	NW
7th Street & Clinton Street	40.74539966	-74.03332472	Sidewalk	SW
8th Street & Castle Point Terrace	40.74556223	-74.02626514	Street	SW
8th Street & Garden Street	40.7463588	-74.02990222	Street	NE
8th Street & Jackson Street	40.74789095	-74.03844237	Street	NW
9th Street & Grand Street	40.74811447	-74.03333545	Sidewalk	SE
10th Street & Madison Street	40.749927	-74.03588891	Sidewalk	NW
11th Street & Maxwell Park	40.74949622	-74.02370632	Sidewalk	E
11th Street & Washington Street	40.7500286	-74.02715564	Street	NW
12th Street & Willow Ave	40.75173541	-74.03025627	Street	NE
14th Street & Grand Street	40.75421834	-74.03146327	Sidewalk	E
14th Street & Sinatra Drive	40.75267414	-74.02346492	Sidewalk	E
14th Street & Washington Street	40.75328369	-74.02612567	Sidewalk	NW
15th Street & Garden Street	40.75467346	-74.02757406	Sidewalk	SE
Harrison Street & Observer Hwy	40.73786831	-74.0425086	Sidewalk	NW
Harrison Street near 7th Street	40.74623688	-74.03994977	Street	W

Hudson Place near River Street	40.735787	-74.028591	Sidewalk	S
Hudson Place & Hudson Street	40.73605546	-74.03024554	Sidewalk	W
Hudson Place & River Street	40.7358441	-74.02918875	Sidewalk	S
Hudson Street & Observer Hwy	40.735394	-74.030541	Street	S
Newark Street & Adams Street	40.73725049	-74.03764844	Sidewalk	NE
Willow Ave near 4th Street	40.74122156	-74.03367341	Sidewalk	W

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
President Jennifer Giattino	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

1st reading
2-1-17 (6)

SPONSORED BY: 

SECONDED BY: 

CITY OF HOBOKEN
ORDINANCE NO. _____

2-472

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED "PARKING FOR PERSONS WITH DISABILITIES" §192-4 "ENUMERATION OF SPACES" TO APPROVE THE ADDITION OF RESTRICTED HANDICAPPED PARKING SPACES FOR CERTAIN INDIVIDUALS

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions shall be made to Chapter 192 of the Code of the City of Hoboken entitled "Parking for Persons with Disabilities" §192-4 entitled "Enumeration of Spaces" to approve the addition of restricted handicapped parking spaces as follows:

Megan Reynders-711 Willow Avenue -east side of Willow Avenue, beginning at a point 155 feet north of the northerly curblineline of Seventh Street and extending 22 feet northerly therefrom.

Michelle Kohn- 603 First Street -south side of First Street, beginning at a point 35 feet west of the westerly curblineline of Monroe Street and extending 22 feet westerly therefrom.

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following
reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

1st reading
2-1-17 (7)

SPONSORED BY: 

SECONDED BY: _____

CITY OF HOBOKEN
ORDINANCE NO.: _____

2-473

AN ORDINANCE AMENDING ARTICLE I, CHAPTER 46 OF THE HOBOKEN CITY CODE ENTITLED "LEASE AGREEMENTS" AT § 46-4 TO AUTHORIZE THE MAYOR TO EXECUTE A LEASE WITH THE AMERICAN LEGION POST NO. 107 AND THE HOBOKEN WORLD WAR VETERANS HOLDING CORPORATION

WHEREAS, The American Legion, Hoboken Post No. 107 and the Hoboken World War Veterans Holding Corporation are nonprofit corporations of the State of New Jersey; and,

WHEREAS, The American Legion, Hoboken Post No. 107 and the Hoboken World War Veterans Holding Corporation are planning to demolish the existing building located at 308 2nd Street, Hoboken, New Jersey and reconstruct a new five (5) story building with six (6) residential apartments for homeless veterans on the property, commonly referred to as the "American Legion Veterans Affordable Housing Project" (the "Project"); and,

WHEREAS, the demolition and construction of said buildings require the use and occupancy of the abutting City owned parking lot property for storage, ingress, egress and staging and utilization of a construction area; and,

WHEREAS, the City acknowledges that the demolition and rebuilding Project, cannot be accomplished without the City leasing said property to the above named nonprofit corporations; and,

WHEREAS, N.J.S.A. 40A:12-14(c), authorizes a municipality to lease real property to a nonprofit corporation for a public purpose; and,

WHEREAS, pursuant to the criteria enumerated in N.J.S.A. 40A: 12-14(c), the City agrees to lease the parking lot at Block 43/Lots 34 and 35 for a public purpose under the following conditions:

1. The consideration for the lease is one dollar (\$1.00) payable annually as set forth in the attached Lease Agreement.
2. The name of the corporation(s) who shall be the lessee are The American Legion, Hoboken Post No. 107 and the Hoboken World War Veterans Holding Corporation.
3. The public purpose served by the lessee is enumerated in N.J.S.A. 40A:12-15(c), which references the following public purpose: "The housing, recreation, education or health care of veterans of any war of the United States by any nonprofit corporation or association."

4. The number of persons benefitting from the public purpose served by the lessee includes but is not limited to the following: the City, the American Legion Post, the Hoboken World War Veterans Holding Corporation, and any veterans that are housed.

5. The term of the Lease shall be for one (1) year. The lessee may renew the lease for additional six (6) month option periods upon sixty (60) days written notice to City prior to the expiration of the term or the expiration of any renewal periods thereof.

6. The officer/employee responsible for enforcement of the conditions of the lease is Commander, John Carey.

7. The lessee will annually submit a report to the Business Administrator of the City of Hoboken, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law.

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions shall be made to Hoboken City Code Article I § 46-4 to read as follows:

§ 46-4 through § 46-9. (Reserved) Execution of Lease Agreement with the Hoboken Post No. 107, The American Legion and Hoboken World War Veterans Holding Corporation

The Mayor is hereby authorized to enter into and execute the attached lease agreement (Exhibit A) and same shall become part of the Hoboken Administrative Code for the term of the lease.

Section 2: This Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

Section 3: The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

Date of Introduction: February 1, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	✓			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffanie Fisher	/			
Michael Russo	/			
David Mello	/			
Ruben Ramos, Jr.	/			
President Jennifer Giattino	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffanie Fisher				
Michael Russo				
David Mello				
Ruben Ramos, Jr.				
President Jennifer Giattino				

Approved as to Legal Form:

Brian Aloia, Esq., Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following
reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

EXHIBIT A

LEASE AGREEMENT

This Lease Agreement ("Lease") is made this ____ day of _____, 2017, with an effective date concurrent with passage and publication by the Council of the City of Hoboken of an Ordinance to amend Chapter 46 entitled "Lease Agreements" to include this Lease pursuant to N.J.S.A.40A:12-14 (the "Effective Date"), by and between the City of Hoboken, a municipal corporation of the State of New Jersey (hereinafter referred to as the "City") and Hoboken Post No. 107, The American Legion, Department of New Jersey, a non-profit corporation of the State of New Jersey and Hoboken World War Veterans Holding Corporation, a non-profit corporation of the State of New Jersey (hereinafter collectively referred to as "Tenant").

WHEREAS, Tenant is planning to demolish the existing building located at 308 2nd Street, Hoboken, New Jersey and reconstruct a new five (5) story building which includes six (6) residential apartments for homeless veterans on its property, commonly referred to as the "American Legion Veterans Affordable Housing Project" (the "Project"); and

WHEREAS, the demolition and construction of said buildings require the use and occupancy of the abutting City owned parking lot property for storage, ingress, egress and staging and utilization of a construction area; and

WHEREAS, the City agrees and acknowledges that the demolition and rebuilding Project, cannot be accomplished without the City leasing said property to Tenant; and

WHEREAS, this Lease Agreement is being entered into pursuant to N.J.S.A. 40A:12-14(c), which authorizes a municipality to lease real property to a nonprofit corporation for a public purpose; and

WHEREAS, the public purpose served by the lessee is enumerated in N.J.S.A. 40A:12-15(c), which specifies the following public purpose: "The housing, recreation, education or health care of veterans of any war of the United States by any nonprofit corporation or association"; and

WHEREAS, the City, the Tenant and those veterans that are housed will benefit from the public purpose served by the lessee.

NOW THEREFORE, IN CONSIDERATION of the mutual promises and covenants herein contained, the City and Tenant agree as follows:

1. Basic Information and Defined Terms. City hereby demises and leases to Tenant the Property, and Tenant shall lease the Property from City, according to the terms and conditions of this Lease Agreement. Further, in addition to the terms which are defined elsewhere in this Lease, the following basic Lease information terms shall have the following meaning.

(a) **City:** The City of Hoboken, a municipal corporation of the State of New Jersey.

(b) **City's Address:** 94 Washington Street
Hoboken, New Jersey 07030

(c) **Tenant:** Hoboken Post No. 107, The American Legion, Department of New Jersey and Hoboken World War Veterans Holding Corporation.

(d) **Tenant's Address:** 308 Second Street
P.O. Box M-906
Hoboken, New Jersey 07030

(e) **Property:** City owns the entire parking lot area abutting Tenant's property. The entire parking lot area, consisting of approximately 4100 square feet of land is located at the northwest corner of Second Street and Willow Avenue, Hoboken, New Jersey and identified in the Hoboken City Tax Map as 200 Willow Avenue, Hoboken, New Jersey, Block 43/Lots 34 and 35 (the "Property").

(f) **Term:** The term of this Lease shall be for one (1) year. Tenant may renew the lease for additional six (6) month option periods upon sixty (60) days written notice to City prior to the expiration of the term or the expiration of any renewal periods thereof.

(g) **Commencement Date:** The Lease commencement date shall be the Effective Date defined above. Tenant will not take possession of the property until 45 days after the Effective Date. Tenant must provide City with thirty (30) days notice before commencing any construction or demolition services.

(h) **Rent:** One Dollar (\$1.00) annually payable on or within ten (10) business days of the Effective Date. Rent shall be paid to City at the address specified above.

(i) **Security Deposit:** None.

2. **Use.** The Property may be used and occupied for the purpose of staging a construction area including but not limited to ingress and egress, storage and parking of construction vehicles and machinery, erecting scaffolding, and delivery and storage of supplies and equipment. Tenant shall not allow the Property to be used for any purpose deemed unlawful, disreputable or extra hazardous. Tenant will not commit waste and will not create any nuisance. City will provide Tenant with access to the Land twenty-four (24) hours per day, seven (7) days a week, three hundred sixty-five (365) days a year.

3. **Delivery of Possession.** City will deliver possession of the Land to Tenant on the Commencement Date, "AS-IS" in its present condition.

4. **Repairs and Care.** Tenant agrees that it shall maintain the Property in good condition and state of repair and at the end or other expiration of this Lease, shall deliver up the Property in good order and condition, wear and tear from a reasonable use thereof, and damage by the elements not resulting from the neglect or fault of Tenant, excepted.

5. Alternations; Improvements. No alterations, additions or improvements shall be made, shall be installed in or attached to the Property without the advance written consent of City, which consent shall not be unreasonably withheld.

6. Compliance with Laws. Tenant shall comply with all Municipal, State and Federal legal requirements with respect to its use of the Leased Property or the use and occupation thereof, and Tenant shall pay all costs, expenses, fines, penalties and damages which may be imposed upon City, because of Tenant's failure to comply with the provisions of this Section. Notwithstanding the foregoing, Tenant shall not be responsible for any repairs or improvements to the Property imposed on City by any legal requirement that City would be subject to as owner, including but not limited to repairs necessitated by any violation of any legal requirement or by failure of City to maintain the Property in accordance with federal, state or local code and zoning regulations and ordinances.

7. Liability Insurance. Tenant shall keep and maintain such liability insurance on the leased Property as may be reasonably required by City. City shall be specifically listed on Tenant's liability insurance as an additional named insured and the Tenant shall provide the City with a copy of the declaration's page from Tenant's liability insurance on the Effective Date of this Lease.

8. Indemnification. Tenant will indemnify and hold harmless City from and for any and all payments, expenses, costs, reasonable attorney fees (including attorney fees that may be incurred in enforcing the Tenant's obligations under this Lease) including any and all claims and liability for losses or damage to the Property or injuries to persons for any cause or reason whatsoever arising out of or by reason of the occupancy of the Leased Property by the Tenant, its agents or any business of the Tenant.

9. Assignment. Tenant shall not assign, mortgage or hypothecate this Lease, nor will it sublet or sublease the Leased Property or any part thereof, without the advance written consent of City.

10. Removal of Tenant's Property. Any equipment, machinery, goods or other property of Tenant or its agents, not removed by Tenant upon the termination of this Lease, or upon any quitting, vacating or abandonment of the Leased Property by Tenant or upon Tenant's eviction, shall be considered as abandoned and City shall have the right, subject to ten (10) days written notice to Tenant, that City may sell or otherwise dispose of the same, at the expense of Tenant, and shall not be accountable to Tenant for any part of the proceeds of such sale, if any.

11. Default. If the Tenant shall fail to perform any of the covenants, conditions and agreements herein contained on Tenant's part to be kept or performed, Tenant shall be in default hereunder. If Tenant is in default and after a ten (10) day notice to Tenant describing the basis for the default and provided Tenant has an additional thirty (30) day period to cure Tenant's default, City may terminate this Lease upon additional written notice advising Tenant that the default remains uncured and this Lease and the term hereof will end on the date fixed in said notice which shall not be less than twenty (20) days after expiration of the cure period.

12. Title and Quiet Enjoyment. City covenants and represents that City is the owner of the Leased Property herein leased and has the right and authority to enter into, execute and deliver this Lease and does further covenant that so long as Tenant pays all of the Rent and performs all of Tenant's other obligations hereunder, Tenant shall peaceably and quietly have, hold and enjoy the Leased Property without interference, hindrance, ejection or molestation by City or any person or entity lawfully claiming through or under City, subject, nevertheless, to the provisions of this Lease.

13. Entire Contract. This Lease contains the entire contract between the parties. No representative, agent or employee of City has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by City and Tenant unless otherwise stated elsewhere in this Lease.

14. Notices. All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties as shown in Section 1 of this Lease or to such other address as may be designated in writing, which notice of change of address shall be given in the same manner. All notices sent to the Tenant shall be directed to John Carey, Commander at the address shown in Section 1.

15. Validity of Lease. The terms, conditions, covenants and provisions of this Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

16. Successors and Assigns. All the terms, covenants and conditions herein contained shall be for and shall inure to the benefit of and shall bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

17. Termination by City Without Cause. Notwithstanding any other provision of this Lease, the City shall have the right to cancel this Lease at any time without cause, provided that thirty (30) calendar days prior written notice is given to the Tenant of the City's intent to terminate.

18. Laws. This Agreement shall be governed by and construed in accordance with the Laws of the State of New Jersey.

The parties hereto have hereunto set their hands and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be affixed, the day and year first written above.

TENANT:

CITY:

**Hoboken Post 107, The American Legion
Department of New Jersey**

City of Hoboken

**Hoboken World War Veterans
Holding Corporation**
